

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

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Attorneys for Defendant  
Marathon Medical Corporation

EDNA DIANE BOWMAN and AMY  
McHENRY, individually and on behalf of all  
others similarly situated,

Plaintiffs,

v.

RAM MEDICAL, INC., AMERIMED  
CORP., HENRY SCHEIN, INC.,  
MARATHON MEDICAL CORP.,  
MEDLINE INDUSTRIES, MMS-A  
MEDICAL SUPPLY CO., and Q-MED  
CORP.,

Defendants.

10 CV 04403-DMC-JAD

Class Action

**STIPULATION AND CONSENT ORDER  
EXTENDING TIME TO ANSWER OR  
OTHERWISE REPLY PURSUANT TO  
LOCAL CIVIL RULE 6.1(b)**

THIS MATTER having come before the Court by way of the application of defendants MMS-A MEDICAL SUPPLY CO., Q-MED CORP., RAM MEDICAL, INC., HENRY SCHEIN, INC., MARATHON MEDICAL CORPORATION and MEDLINE INDUSTRIES, and plaintiffs, Edna Diane Bowman and Amy McHenry, individually and on behalf of all other similarly situated, by and through their respective counsel, requesting an extension of time, pursuant to Local Civil Rule 6.1(a), within which defendants must answer or otherwise respond to plaintiffs' Class Action Complaint until January 31, 2011, and for good cause having been shown, and:

1. The Summons and Class Action Complaint having been served on the requesting defendants;

2. The Court having previously granted a request for an extension to January 14, 2011 to defendants Q-MED CORP., RAM MEDICAL, INC., HENRY SCHEIN, INC., MARATHON MEDICAL CORPORATION and MEDLINE INDUSTRIES;

3. Q-MED CORP., RAM MEDICAL, INC., HENRY SCHEIN, INC., MARATHON MEDICAL CORPORATION and MEDLINE INDUSTRIES currently intending to submit motions to dismiss plaintiffs' Class Action Complaint with a Joint Brief;

4. Defendant MMS-A MEDICAL SUPPLY CO. having first entered an appearance on December 29, 2010;

5. Defendant MMS-A MEDICAL SUPPLY CO. currently intending to join in defendants' currently-anticipated Joint Brief, but requiring an additional two weeks to evaluate the pertinent issues;

6. Plaintiffs having consented to the extension of time to facilitate defendant MMS-A MEDICAL SUPPLY CO.'S participation in the currently-anticipated Joint Brief, so as to avoid duplication of effort and the waste of judicial resources; and

7. Plaintiffs in turn having requested an additional two weeks to submit opposition to the currently-anticipated Joint Brief and having agreed to a two-week extension of defendants' time to submit a reply;

IT IS, on this \_\_\_\_\_ day of January, 2011,

ORDERED that defendants' time to answer or otherwise respond to plaintiffs' Class Action Complaint is extended to and including January 31, 2011; and it is further

ORDERED that any opposition thereto on behalf of plaintiffs shall be due on or before March 14, 2011; and it is further

ORDERED that any reply thereto on behalf of defendants shall be due on or before April 14, 2011.

The undersigned consent to the form and entry of this Order:

/Daniel R. Lapinski

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Attorneys for Defendant Medline Industries,  
Inc.

SO ORDERED:

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Honorable Dennis M. Cavanaugh, U.S.D.J.